

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SHERRIE L. DURHAM,

Plaintiff,

v.

WILLIAM M. BARKER, et al.,

Defendants.

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**No. 3:06-0459
JUDGE ECHOLS**

ORDER

For the reasons explained in the Memorandum entered contemporaneously herewith,

(1) Plaintiff's Objections to Magistrate Judge Bryant's Report and Recommendation to Judge Echols (Docket Entry No. 100) are hereby SUSTAINED IN PART and OVERRULED IN PART.

(2) The Magistrate Judge's Report and Recommendation (Docket Entry No. 97) is hereby ACCEPTED AS MODIFIED.

(3) Defendant's Motion to Dismiss (Docket Entry No. 35) is hereby GRANTED.

(4) Plaintiff's Motion to Require the Respondents to File Individual Answers to the Petition for Declaratory Judgment (Docket Entry No. 50), Plaintiff's Motion to Strike Respondents' Response in Opposition to the Petitioner's Motion to Require Respondents to File Individual Answers (Docket Entry No. 56), Plaintiff's Motion for Discovery (Docket Entry No. 76), Plaintiff's Motion for an Expedited Ruling on the Respondents' Motion to Dismiss (Docket Entry No. 78), Plaintiff's Motion for a Preliminary Injunction (Docket Entry No. 89), Plaintiff's Motion for the Court to Instruct the Clerk to Issue the Petitioner Subpoenas (Docket Entry No. 92), Plaintiff's

Motion to File a Reply to the Respondents' Responses to the Petitioner's Motion for a Preliminary Injunction and Order for the Clerk to Issue the Petitioner Subpoenas (Docket Entry No. 96), and Plaintiff's Motion to Enlarge the Time for the Petitioner to File Objections to Magistrate Bryant's Report and Recommendation to Judge Echols (Docket Entry No. 98), are hereby DENIED AS MOOT.

(5) This action is hereby DISMISSED WITH PREJUDICE.

(6) Entry of this Order on the docket shall constitute entry of final Judgment in accordance with Federal Rules of Civil Procedure 58 and 79(a).

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", is written over a horizontal line.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE